

FILED

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

OCT 10 2019

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) No _____
MARY ANN GIBSON,)
Defendant.)

4:19CR839 HEA

INFORMATION

The United States Attorney charges that:

COUNTS I-V
(BANK FRAUD: 18 U.S.C. § 1344)

INTRODUCTION

1. At all relevant times, Enterprise Bank and Trust, headquartered in Clayton, Missouri in the Eastern District of Missouri, is a financial institution within the meaning of Title 18, United States Code, Section 20, the deposits of which are insured by the Federal Deposit Insurance Corporation.

2. During the relevant time period, **Defendant Mary Ann Gibson** was the Chief Executive Officer of Mozaic Group Ltd. (hereinafter “Mozaic”), a company providing account marketing services to large corporations.

THE SCHEME TO DEFRAUD

3. From on or about January, 2016, through on or about August, 2017, in St. Louis, in the Eastern District of Missouri, the defendant,

MARY ANN GIBSON,

engaged in a scheme and artifice to obtain moneys, funds, credits, assets, securities and other property owned by, or under the custody and control of Enterprise Bank and Trust, by means of false and fraudulent pretenses, representations, and promises.

4. It was part of the scheme to defraud that the defendant obtained a line of credit of \$2,400,000 for Mozaic with Enterprise Bank and Trust in January 2016. By August 2017, the line of credit amount was increased to \$2,800,000. During the relevant time period, Mozaic drew down the line of credit obtained from Enterprise Bank and Trust.

5. It was part of the scheme to defraud that the defendant submitted, and was required to submit, monthly balance sheets to Enterprise Bank and Trust to maintain the acquired line of credit.

6. It was further part of the scheme that the defendant directed Mozaic employees to create false and fraudulent invoices for the purpose of increasing Mozaic's purported Accounts Receivable.

7. It was further part of the scheme that the defendant submitted false and fraudulent reports of Mozaic's balance sheets, including the false and fraudulent Accounts Receivable, in order to maintain and subsequently increase Mozaic's line of credit with Enterprise Bank and Trust.

8. It was further part of the scheme that the defendant certified the EBITA (Earnings Before Interest, Taxes, and Amortization) number submitted to Enterprise Bank and Trust accurately reflected the Accounts Receivable numbers for Mozaic during the relevant reporting period.

9. It was further part of the scheme that the Accounts Receivable numbers submitted to the bank that formed the basis for the EBITA calculation were falsely and fraudulently inflated.

10. On or about the dates set forth below in each individual count, in St. Louis, Missouri, in the Eastern District of Missouri, the defendant,

MARY ANN GIBSON,

executed and attempted to execute the scheme and artifice set forth above, to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of Enterprise Bank and Trust, which was a financial institution as defined in Title 18, United States Code, Section 20, by means of material false and fraudulent pretenses, representations, and promises, in that defendant submitted false and fraudulent balance sheets and EBITA numbers to Enterprise Bank and Trust for the purpose of maintaining and increasing the line of credit extended to Mozaic as described below for each count, each submission constituting a separate count:

COUNT	REPORTING PERIOD	FALSE AND FRAUDULENT EBITA REPORTED TO ENTERPRISE BANK AND TRUST
I	April 2017	\$1,382,548.21
II	May 2017	\$1,321,312.66
III	June 2017	\$1,296,964.19
IV	July 2017	\$1,296,446.11
V	August 2017	\$1,403,167.36

All in violation of Title 18, United States Code, Section 1344.

FORFEITURE ALLEGATION

The United States Attorney further alleges there is probable cause that:

1. Pursuant to Title 18, United States Code, Sections 982(a)(2) and Title 28, United States Code, Section 2461(c), upon conviction of an offense in violation of Title 18, United States

Code, Section 1344 as set forth in Count(s) I-V, the defendant shall forfeit to the United States of America any property, real or personal, constituting or derived from any proceeds traceable to such violations.

2. Subject to forfeiture is a sum of money equal to the total value of any property, real or personal, constituting or derived from any proceeds traceable to said violations.

DATED:

10/4/2019

JEFFREY B. JENSEN
United States Attorney


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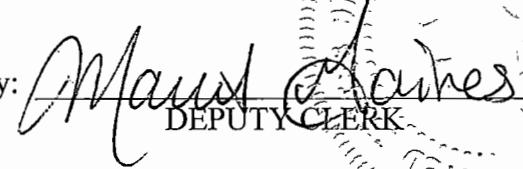
UNITED STATES OF AMERICA)
EASTERN DIVISION)
EASTERN DISTRICT OF MISSOURI)

I, Lindsay McClure-Hartman, Assistant United States Attorney for the Eastern District of Missouri, being duly sworn, do say that the foregoing information is true as I verily believe.


LINDSAY MCCLURE-HARTMAN, #66070

Subscribed and sworn to before me this 1st day of October, 2019.


CLERK, U.S. DISTRICT COURT

By: 
DEPUTY CLERK